

EXHIBIT 1



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December 17, 2009

VIA CERTIFIED MAIL

California Labor & Workforce Development Agency
801 K Street, Suite 2101
Sacramento, CA 95814

Re: DHL Express (USA), Inc., c/o Littler Mendelson, APC, 650 California Street, 20th
Floor, San Francisco, CA 94108-2693
Violations of IWC Wage Orders and Labor Code, including sections 201-203,
226, 226.7, 510, 512, 1194, 1198

Dear Sir or Madam:

This law firm represents Richard Hom and Justin Kelley, former employees of DHL Express (USA), Inc., who are represented by Littler Mendelson, APC in a lawsuit currently pending in the United States District Court, Northern District of California entitled *Hom, et al. v. DHL Express (USA), Inc.*, Case Number C 08-03756 JL.

In compliance with Labor Code § 2699.3(a) (1), and your agency's right to investigate these violations, this letter shall serve as notice that we are preparing to enforce our clients' right to recover earned, but unpaid wages; our client's right to obtain accurate and complete wage statements and our intent to assert all relevant penalties under the Labor Code including but not limited to §§ 203, 210, 226(f) and 1174.5.

Our clients assert that they did not receive compensation for all the hours they worked including overtime hours worked in that they worked in excess of eight (8) hours per day and forty (40) hours/week on a regular basis (violation of Labor Code §§ 1194, 1198 and 510). Furthermore our clients were not permitted meal and rest breaks as mandated by law during the course of the employment relationship. (Violation of Labor Code §§ 226.7 and 512). Finally, our clients assert they did not receive accurate and complete wage statements, despite the fact that such statements were requested. (Violation of Labor Code § 1174 and 226(a))

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Pending a full investigation, any later discovered violations may be added which we intend to enforce in accordance with the Labor Code Private Attorneys General Act of 2004, Labor Code §§ 2698-2699.5.

In view of the duties imposed on your agency and this office by the statutes cited above, we have sought and obtained leave of the Court to amend our existing Complaint in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Stephen Morris", written over a horizontal line.

Stephen B. Morris

cc: DHL Express (USA), Inc., c/o Littler Mendelson, APC (Per LC § 2699.3, via Certified Mail)